

Meeting of 2011-1-25 Regular Meeting

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JANUARY 25, 2011 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor Fred L. Fitch Also Present:
Presiding Larry Mitchell, City Manager
 Frank V. Jensen, City Attorney
 Traci Hushbeck, City Clerk
COL Ray Lacey, Fort Sill Liaison

Mayor Fitch called the meeting to order at 6:06 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Tim Evans, Dayspring Community Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Bill Shoemate, Ward One
Michael Tennis, Ward Two
Janice Drewry, Ward Three
Jay Burk, Ward Four
Robert Shanklin, Ward Five
Richard Zarle, Ward Six
Stanley Haywood, Ward Seven
 Doug Wells, Ward Eight

ABSENT: None

AUDIENCE PARTICIPATION:

Jim Reynolds, Walters, OK, stated he owns rental property in Lawton. He stated he is having problems getting his deposits back from revenue services. He stated in 2009 it took 2 months to get his deposit back. Now he closed the service on November 1, 2010 and he still has not received his deposit back. He has spoken to staff but has not gotten an answer. He does not know why this deposit is just not credited to the next bill.

Mayor Fitch stated staff will get with Mr. Reynolds and get this problem resolved.

Dr. Karl Hough, Chaplain at the Lawton Fort Sill Veterans Center, 7704 SW Delta, stated he has an issue with the parking of vehicles on the street. He stated on Euclid there is nowhere for people to walk their dogs or children to play. He suggested they only allow the same number of vehicles for the same number of people who live in the house. If there is not enough room for two vehicles to pass on that street, then there should be no parking on the street except for emergency vehicles or service vehicles. If there is enough room there should just be parking on one side of the street so emergency vehicles can get through.

Mayor Fitch stated they will address this issue with the proper staff.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETINGS OF DECEMBER 14, 2010 AND JANUARY 11, 2011.

MOVED by Drewry. SECOND by Shoemate, to approve the minutes of Lawton City Council regular meetings of December 14, 2010 and January 11, 2011. AYE: Drewry, Burk, Shanklin, Zarle, Haywood, Wells, Shoemate, Tennis. NAY: None. MOTION CARRIED.

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

Mayor Fitch stated item #8 has been stricken from the agenda. Jensen requested item #1 and Mitchell requested

#5 be considered separately.

MOVED by Drewry, SECOND by Shoemate, to approve the consent agenda with the exception of items #1, #5 and #8. AYE: Burk, Shanklin, Zarle, Haywood, Wells, Shoemate, Tennis, Drewry. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval: Johnny T. Lampkins, Sr. in the amount of \$87.52, Michael and Nikki Walker in the amount of \$1,506.63 and Ginger and James Lee in the amount of \$2,487.50. Exhibits: Legal Opinions/Recommendations, Resolution No. ____ and Resolution No. ____.

Jensen stated the recommendation on these claims remain the same with the exception of the Ginger and James Lee claim. The claims memo states that the City of Lawton will take possession of their junk vehicle, but they have requested to keep the vehicle. Staff recommends approval of the claim with that exception.

MOVED by Wells, SECOND by Drewry, to approve the damage claims recommended for approval: Johnny T. Lampkins, Sr. in the amount of \$87.52, Michael and Nikki Walker in the amount of \$1,506.63 (**Res. 11-05**) and Ginger and James Lee in the amount of \$2,487.50 (**as amended, Res. 11-06**). AYE: Shanklin, Zarle, Haywood, Wells, Shoemate, Tennis, Drewry, Burk. NAY: None. MOTION CARRIED.

2. Consider the following damage claim recommended for denial: Rachel Melrose in the amount of \$594.03. Exhibits: Legal Opinion/Recommendation.

3. Consider accepting State Aid for Libraries Grant of \$52,127 from the Oklahoma Department of Libraries for FY 2010-2011. Exhibits: State Aid agreement on file in the City Clerk's office.

4. Consider approving contracts for Children's Art Studio, Spring 2011 semester for Steven Scott Smith (\$ 693), Kenneth Hobbs (\$ 594), Catherine Daugherty (\$ 270), and Krista Clavon (\$ 270) instructors for the program. Total amount for fall semester stipends is \$ 1,827.00. Exhibits: Contract on file in the City Clerk's Office.

5. Consider acceptance of the Summary of Impacts Regarding the Military Growth at Fort Sill, Oklahoma for the purpose of Participating in the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act Program. Exhibits: Copy of the Summary of Impacts Regarding the Military Growth at Fort Sill, Oklahoma - For the Purpose of Participating in the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act Program-Dated January 14, 2011.

Mitchell distributed a revised summary. He stated under V. Summary it should read that the estimated number of jobs created due to BRAC mandates is approximately 7,000 and payroll is estimated to be between \$350,000 and \$400,000. He stated this report will help develop their grant application to help capture state sales tax dollars for capital improvements.

MOVED by Drewry, SECOND by Burk, to accept the amended Summary of Impacts Regarding the Military Growth at Fort Sill, Oklahoma for the purpose of Participating in the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act Program. AYE: Zarle, Haywood, Wells, Shoemate, Tennis, Drewry, Burk, Shanklin. NAY: None. MOTION CARRIED.

6. Acknowledge receipt of election returns of December 14, 2010. Exhibits: Official Certification of Votes from Comanche County Election Board.

7. Consider accepting the encased sewer line and maintenance bond located in Rolling Hills Development, Part 4A, Lot 2, Block 18. Exhibits: Location Map. Maintenance Bond on file in the City Clerk's Office.

8. Consider releasing the escrow agreement in lieu of completion of functional improvements in West Hill Addition, Part 1A, and accepting the water, sewer, streets, public drainage improvements, and maintenance bonds. Exhibits: Plat Map. Maintenance Bonds on file in the City Clerk's Office.

9. Consider extending (CL10-027) Repair Clamps, Bell Joint Clamps & Steel Couplings (Items 1-2, 7-8 & 10-12) to Water Products of Oklahoma from Owasso, Oklahoma. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.

10. Consider extending (CL09-034) Mowing & Litter Contract II Areas D & E to Teen Challenge of Oklahoma of Cache, Oklahoma. Exhibits: Department Recommendation, Contract Extension Form.

11. Consider extending (CL09-034) Mowing & Litter Contract II Areas I, J & K to L C Lawn Care LLC of Altus, Oklahoma. Exhibits: Department Recommendation, Contract Extension Form.

12. Consider approval of payroll for the period of January 10 23, 2011.

OLD BUSINESS ITEMS:

13. Hold a public hearing and consider an ordinance closing a portion of a public utility easement on Lot 2, Block 18, Rolling Hills Development, Part 4A, located at 2061 SW 45th Street. Exhibits: Ordinance 11-__, November 9, 2010, Agenda Item Commentary with Exhibits.

Richard Rogalski, Planning Director, stated on November 9, 2010, the City Council opened the public hearing to close a portion of an easement. At that time the Council approved construction plans to encase the sewer line located at 2061 SW 45th Street in Rolling Hills Development, Part 4A. The contractor is Jay London and the consulting engineer is Charles W. Allen. Construction of the sewer line is now complete, and the sewer line has been inspected and found to be acceptable. The contractor has submitted a maintenance bond in the amount of \$1,875.00 for the sewer line improvement.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Haywood, SECOND by Zarle, to adopt **Ordinance 11-01**, waive the reading of the ordinance, read the title only. AYE: Haywood, Wells, Tennis, Drewry, Burk, Shanklin, Zarle. NAY: Shoemate. MOTION CARRIED.

(Title read by City Attorney) Ordinance 11-01

An ordinance closing a portion of a utility easement located on Lot 2, Block 18, Rolling Hills development, part 4A, addressed as 2061 SW 45th street, more particularly described in section one of the ordinance.

NEW BUSINESS ITEMS:

14. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan from Residential/High Density to Commercial and an ordinance changing the zoning from R-2 (Two-Family Dwelling District) to C-1 (Local Commercial District) zoning classification located at 1607 SW Pennsylvania Avenue. Exhibits: Resolution No. 11-__, Ordinance No. 11-__, Location Map, Site Plan and Applications.

Rogalski stated this request is for Lots 17- 21, Block 79, Lawton View Addition which measure 125 feet by 140 feet. The proposed use is a lodge hall which is a Use Permitted on Review in C-1 district. The zoning of the surrounding area is R-2 to the north, south, and east and R-2 and P-F to the west. The land use of the surrounding area is vacant and cluster housing to the north, single-family residential and apartments to the south, single-family residential to the east, and single-family residential and Lawton-Fort Sill Regional Airport to the west. The 2030 Land Use Plan designates this area as Residential/High Density. Mistletoe Lodge #31 is currently located at 101 NW Columbia Avenue and is relocating to make way for the Downtown Redevelopment Project. The Mistletoe Lodge is purchasing the property which contains an existing church building plus two additional lots to provide the required number of parking spaces.

On January 13, 2011, the City Planning Commission held a public hearing on this request. During the public hearing one person spoke in favor of the request. The CPC, by a vote of 8 0, recommended approval of the amendment to the 2030 Land Use Plan to Commercial and change of zoning to C-1 subject to the following conditions: revising the site plan to include the proposed use of the property, revising the site plan to modify the width of the driveway to meet City Code provisions, revising the site plan to eliminate parking in the 15-foot setback from Pennsylvania Avenue and revising the site plan to show the portion of the alley to be used as the secondary means of access will be paved. All of the revisions to the site plan have been made. The site plan is binding upon the developer and will be made part of the ordinance. The CPC also approved a Use Permitted on Review for the lodge hall subject to the approval of the rezoning by the City Council and the listed conditions.

Notice of public hearing was mailed to 28 owners of property within 300 feet of the requested area on December 23, 2010, and proper notice was published in *The Lawton Constitution* on December 28, 2010.

PUBLIC HEARING OPENED.

Wayne Willis, 101 N Columbia Avenue, stated he is the applicant and he is in attendance to answer any questions the Council may have.

PUBLIC HEARING CLOSED.

MOVED by Haywood, SECOND by Wells, to adopt **Resolution 11-07** amending the 2030 Land Use Plan from Residential/High Density to Commercial. AYE: Wells, Shoemate, Tennis, Drewry, Burk, Shanklin, Zarle, Haywood. NAY: None. MOTION CARRIED.

MOVED by Haywood, SECOND by Wells, to adopt **Ordinance 11-02**, waive the reading of the ordinance, read the title only. AYE: Shoemate, Tennis, Drewry, Burk, Shanklin, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 11-02

An ordinance changing the zoning classification from the existing classification of R-2 (two-family dwelling district) to C-1 (local commercial district) zoning classification on the tract of land which is hereinafter more particularly described in section one (1) hereof; approving the site plan attached as exhibit a; and authorizing changes to be made upon the official zoning map in accordance with this ordinance.

15. Hold a public hearing and consider adopting an ordinance closing, vacating, and discontinuing certain streets, easements, and other rights-of-way in portions of North Addition and in Vernon Addition located in the Downtown Redevelopment Project area. Exhibits: Ordinance No. 11-____ and Location Map.

Rogalski stated as part of the downtown redevelopment process there were several streets and alleys that LURA wishes to close within the area. The closure affected a good portion of 1st Street, Bell, Columbia, Dearborn, Euclid, Ferris and Railroad Street. Railroad Street would be closed to the center point of the right of way that currently exists.

Haywood questioned what part of Railroad would be closed.

Rogalski stated it is closed from a half of block north of Gore and all the way north, but it is the westerly half of the right of way that is closed. Most of the roadway is in the westerly portion of the right of way. This closing would close the paved area.

Haywood stated the City Manager told him it would be a private road, but it will be open up to Bell.

Mitchell stated that even though they are considering closing the streets, the streets would be used by the private developer to service the stores and businesses in that development.

Haywood questioned if the public could use them.

Mitchell stated the public can drive on them, they just won't be public streets.

Jensen stated we would not have control over that for use as a public street.

Haywood stated the developer could decide to close it.

Mitchell stated there is a binding site plan that would be approved and would show that those streets would be used by the developer. There is a preliminary site plan that everyone has seen that shows how the property will be used by the developer.

Rogalski stated on December 14th the City Council set this date as the date for the public hearing. Notice was sent out to all the property owners within 300 feet. A neighborhood meeting was held at the Patterson Center last Tuesday to try to explain the closure and let people know the situation. Today a petition was received from members of the church and neighbors from the area. There were 117 names on the petition that were against this closing.

Haywood stated on January 18th a meeting was held and he thanked everyone who attended and he thanked everyone for attending tonight.

PUBLIC HEARING OPENED

Ralph A. Reynolds, 824 Carver, stated he is concerned about rerouting traffic off of Railroad Street coming down Carver. Carver is congested and is not wide enough to accommodate that kind of traffic. Someone is going to get hurt during the summertime when children are out. He recommended a traffic study be done before construction has begun or any street is closed.

Michael Logan, Pastor of Galilee Missionary Baptist Church, stated they are not against the proposed development but they are concerned with some of the proposed closing of access roads that will impact the membership of the church as well as the community.

V. Gay McGahee, 1606 SW Oklahoma Avenue, stated she is the office manager for Galilee Missionary Baptist Church. She stated the members of the church join the residents of the Vernon and Legion Additions in voicing their concerns about the negative impact these closures could have on the community. She stated the community has been receptive to bringing the convention center and shopping project to this area even knowing they would be negatively impacted in many ways. She stated they have supported this long overdue mission to bring more

industry to the Lawton community. In February 2006 a meeting was called to inform them about the project, but it was not until December 2010 they were made aware that there would be such drastic changes to their daily travel routes. Closing the proposed streets could change a ten minute commute to work to up to 30 minutes and that is unreasonable and more of a sacrifice than any other community would be or has been willing to make in Lawton.

As the traffic is forced to Gore, which is an already busy school zone, it will create havoc especially during the early morning and afternoon. Many of them travel this area on a daily basis. This proposal will cause vacant houses in this area as renters will move away and potential renters will stay away from an area that has restricted access, and this will cause vagrants to occupy these vacant houses. She stated they also request that no wall or barricade be allowed that divides the newly developed area from the Vernon and Legion Additions which will place the area into what will look like an industrial district and further devalue their property. Galilee has plans for future development and they would like assurance that they will not be facing garbage dumpsters and loading docks. It is inconsiderate to make plans all around them and not consider the affect on their congregation. She requested that they compromise a publicly owned convenient access to second street. She stated resident only or no through traffic signs could be placed on this outlet. She stated they are making decisions for well established families who have made Lawton and this community their home. They intend to live here after the project is complete.

Pastor Logan stated they are concerned that in the building, they are not forgotten about. He stated he has seen what happens to communities when they are blocked off and forgotten about. He feels they have not been considered as people, a community and as a church. His church serves as the primary church of this community and these are elderly resident who need access to ambulance, fire and emergency vehicles. He requested they get access to move freely in their community. He stated Carver Avenue is a picture of an old community where children love to play in the streets and he would hate to see that taken away.

Shanklin questioned if this was the first time they met with this group.

Mayor Fitch stated this is the first time this group has been to the council meeting. He stated several city officials met with this group last week. These plans have been public for four to five years.

Shanklin stated he has never seen these.

Pastor Logan stated that someone should have considered talking to the community and asking what they thought. He stated they have attended these meetings and they had no idea that Railroad Street would be closed down. He requested they table this issue until they all come down and look at this area. They want to be a part of this growing community. He invited the council members to a community meeting the following Saturday at 12 Noon.

Albert Johnson, Sr., 118 NE Bell, stated Councilmember Haywood requested that he put together a meeting and he did that. He stated residents came to the meeting and they expressed their concerns. He sat down with Mr. Rogalski who explained what was going on. He requested that the City Council represent all of them. He has been through a lot in this city and they need to do what is right for the people. They need to sit down with the citizens and work this out for the benefit of this community.

Haywood stated this is the first time he has seen this. He did not know where the stores were going. He stated they knew that they would be tearing out everything in the twelve block area. He knew about the convention center and the parking, but he did not know which way the stores would face. He knew there was a possibility that Railroad would be closed. He stated the council should have been more involved. He suggested they table this issue tonight and come back with a different plan.

Ms. McGahee stated they found out less than thirty days ago that all the streets and accesses will be blocked. In 2006, Mr. Rogalski came to the church and gave a presentation and no one ever told them that those streets would be closed until they received a letter less than thirty days ago.

Mayor Fitch stated this information has been in the council agenda packets on several occasions. Ruhl and Ruhl had a rendering over two years ago in the newspaper showing that Dearborn, Euclid, Bell, Columbia and Arlington would all be closed. Railroad would be the freight, utility and emergency access for that shopping district. This shopping district will create jobs and will be an improvement. The crime rate fifteen years ago was very high and today it is very low after everything has been torn down. This will increase the tax base in this community that will allow us to do more improvements. There will most likely be traffic lights at the corner going north on Albert Johnson Drive.

Haywood stated he was not told which way the stores would face.

Mayor Fitch stated it was in the paper and Mr. Johnson is a member of the Lawton Urban Renewal Authority and this has gone to that board time and time again.

Haywood stated he is an elected official and he should have known about this.

Pastor Logan stated the crime rate is still high and they constantly have people wander throughout that area. He stated they are concerned that the church will be facing the backside of these buildings and that is where people put graffiti. He is afraid that walls will be put up to block the access to these roads. He wants to know how they are going to prevent this. This will affect the membership of the church as well as the lives of this community. The church holds many conventions and many people come from all over to worship with them. They do welcome this project but they want their wishes to be considered.

Mr. Johnson stated he had hope after the community meeting but he has seen a complete turn around. He requested that someone from the planning department sit down with the leadership of the church to work out these issues. They do not need this divisiveness.

Shoemate stated he spent a lot of years in this area, and he worries about the residents who travel on Carver. He takes that route sometimes and there is a lot of traffic in that area. It is a small street and he is concerned about the church because they do a lot of good in the community. He thought that Dearborn or Ferris would be left open. He does not want to lose this history.

Wells questioned why they couldn't leave Railroad open to Carver and move to the east or Ferris kept open so that the residents could have access. They need to accommodate the community.

Burk stated he feels they need to do something to accommodate these residents. They all want the development to happen, but they need to look at the design and maybe allocate some CIP funds to move a road. They need to do what is right.

Tenis stated the initial discussion was about access and then it moved to seeing the backs of stores. He stated the access should be the easiest issue to correct. He does not have a clue how to address the other issue.

Mitchell stated he attended the neighborhood meeting and he took notes. A traffic study has been commissioned for the neighborhood so they can resolve some of these issues. He questioned what street would be the preference of the community to stay open. They cannot keep all the streets open. If you keep all the streets open you are not going to have a development.

Wells stated the residents are willing to accept closure of everything except Ferris.

Haywood stated they also want access to Bell.

Wayne Stewart, 510 Patterson, stated his kids walk up Dearborn to Lawton High and he questioned how his kids were going to get to school. When it rains, Ferris floods.

Mitchell stated Bell would be open to 2nd Street.

Mr. Steward stated that is out of the way, he lives on Patterson towards Carver.

Evelyn Freeman, member of Galilee Missionary Baptist Church, stated the Council needs to put themselves in their place and search their conscience.

Brad Burgess, attorney, stated he is in attendance on behalf of CenterPoint Energy. He stated as a result of the revitalization project, CenterPoint is going to have to move several gas lines that are situated within this affected area. There is an 8 inch steel pipeline that is going to have to be moved and a lot of square footage in terms of a 2 inch distribution line. There will be a cost associated with moving these pipelines as well as some asbestos associated with some of this pipeline which will have to be removed and relocated. The cost associated with all this is \$509,000. Before CenterPoint can initiate this work the cost will need to be deposited with CenterPoint prior to the work beginning. The work will last approximately 120 days in order to complete the relocation. CenterPoint will also need a permanent easement in order to relocate these lines. On January 20, 2011 they filed an objection with the City as to the closure and vacation of these public ways. The proposed ordinance provides that the City will grant them a temporary easement with automatic renewals sufficient for CenterPoint to maintain their existing easements supporting the existing infrastructure that services their current customers. The Council needs to understand that the \$509,000 will need to be paid to CenterPoint by either the contractor or developer prior to CenterPoint initiating any work regarding the relocation of these gas lines as well as the need for a permanent easement.

Wells questioned if CenterPoint would be interested in cost sharing since they will be making more money in the area.

David Hegwood, CenterPoint, stated they lost a lot of customers that were already there, and he does not know what amount of gas will be used by the new businesses so it is hard for him to answer that question.

Jensen stated the City did receive two objections, one from CenterPoint and one from AEP/PSO. He stated the changes in the red lined version of the ordinance were made in response to the first issue with CenterPoint to convert the temporary easement. He stated staff is asking for a change in the redevelopment agreement that will point out that the developer must grant permanent easements at the appropriate point in time for utilities, including for the City of Lawton. He stated as far as the cost, during the renewal process of the franchise agreement with AEP/PSO, they did insert some language where AEP/PSO would consider, not obligate themselves, a cost sharing proposal on a project like the 2nd Street Project because if there is redevelopment there will be the potential for more revenue. He stated in the redevelopment agreement that was passed a couple of years ago and recently amended, we upped the cost to the developer for funding from LEDA to the developer from \$2.5 million to \$4.2 million for site preparation costs, which would include relocation and reconstruction of utilities. We will still be asking for some cost sharing from other utilities.

Gwendolyn Monts, 505 NE Carver, stated she is one of those people who drive down Railroad to Ferris everyday and it takes her 4-5 minutes to get to work. She stated it will take her 20 minutes to get across Gore. She is now going to have to get up thirty minutes earlier just to get to work. She requested that the Council vote no.

PUBLIC HEARING CLOSED

Shoemate suggested they table this issue until a study can be done on Carver.

Haywood suggested a committee be formed.

Jensen stated if they are not going to take action, he suggested they continue the public hearing to a certain date so they can pick up the process at that point in time.

MOVED by Shoemate, SECOND by Haywood, to continue the public hearing to February 8, 2011 or until the next special called meeting. AYE: Shoemate, Tennis, Drewry, Burk, Shanklin, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

16. Consider an ordinance amending Section 23-5-545, Article 23-5, Chapter 23, Lawton City Code, 2005, pertaining to inattentive driving by adding that a citation may be issued for this traffic offense when a police officer observes driving that poses a danger to others due to, among other things, driving while using a hand-held electronic device, providing for severability, and declaring an emergency. Exhibits: Ordinance 2011-____.

Jensen stated this is a proposed change to the ordinance on driving while not paying attention properly. What is proposed is what was changed in state law last year which if you are driving without paying attention, last year you could not receive a citation for that offense unless there was a vehicle accident. The state legislature last year changed that to say you could receive a citation, not just when you have an accident, but when a police officer observes you driving without paying attention. The second part is that if you are driving without paying attention, while using a hand held device, and you are caught and you have a learners permit or an intermediate class D license, the officer will note on the citation and your license or permit can be cancelled.

MOVED by Wells, SECOND by Tennis, to adopt **Ordinance 11-03**, waive the reading of the ordinance, read the title only. AYE: Drewry, Burk, Shanklin, Zarle, Haywood, Wells, Shoemate, Tennis. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 11-03

An ordinance amending Section 23-5-545, Article 23-5, Chapter 23, Lawton City Code, 2005, pertaining to inattentive driving by adding a citation may be issued for this traffic offense when a police officer observes driving that poses a danger to others due to, among other things, driving while using a hand-held electronic device, providing for severability, and declaring an emergency.

17. Receive a report on the City's financial condition for the 2nd Quarter of Fiscal Year 2010-2011, and provide direction to staff. Exhibits: None.

THIS ITEM WAS STRICKEN FROM THE AGENDA.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

COL Lacey stated around the 7th of February they will begin a gate project on the Ft. Sill Boulevard gate which will move the gate into the installation about 300 yards. Simultaneously, ODOT will start a project on Rogers Lane to help alleviate some congestion at the intersection of Rogers Lane and Fort Sill Boulevard. A similar project will start ninety days later at the Sheridan Road gate and on Rogers Lane and Sheridan Road. Gate two will be open as a temporary fix, but the gates will remain open but only single lane.

Burk stated he enjoyed attending the Congress of Mayors conference with Mayor Fitch. It was enlightening

watching all the mayors from across the state come up with some ideas to help the legislators with things they are interested in at the local level.

Mayor Fitch stated one recommendation was to repeal the bill in regards to municipal employees.

Burk stated the Lawton Enhancement Trust Authority (LETA) is working on three different projects. One is the northside entrance to Lawton with the ODOT grant, another is a project with the McMahon Auditorium Authority to do interior and exterior enhancements for the auditorium and the third project is finishing phase two of the 38th Street ballpark area.

Chief Ronnie Smith distributed a summary of crime statistics. He stated violent crime has gone down 21.6%, non violent crime went up 8.4%, but it was mainly because of burglaries. Homicides have gone down, rapes are way down and robberies are down 35%.

Mitchell stated a new CLEET academy will be starting the first part of April with 22 participants.

Jerry Ihler, Public Works Director, distributed the semi-annual street report. He stated they can give him a call if there are any questions.

The Mayor and Council convened in executive session at 7:50 p.m. and reconvened in regular, open session at 8:06 p.m. Roll call reflected all members present.

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

18. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2010-2011 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #18.

MOVED by Wells, SECOND by Burk, to approve a fiscal year 2010-2011 collective bargaining agreement between IUPA Local 24 and the City of Lawton and authorize the Mayor, City Attorney and City Clerk to execute the agreement. AYE: Zarle, Haywood, Wells, Shoemate, Tennis, Drewry, Burk, Shanklin. NAY: None. MOTION CARRIED.

Mayor Fitch stated the CIP workshop scheduled for February 1 will be cancelled. He stated he will schedule an appointment with staff to look at a committee for the street closing issue discussed tonight.

Jensen stated the rule is that the Mayor may appoint a special committee of the Council to investigate and study a particular matter and report its findings and recommendations to the Council. He stated in the past we have appointed a three member committee and he recommended that the Planning Director be involved.

Mayor Fitch suggested the committee meet on Monday evening at 6:00 p.m. to address this issue. He stated they need to meet as quickly as possible. He questioned who would like to serve on the committee. He stated Shoemate, Tennis, Wells, Haywood and Zarle have volunteered.

Jensen suggested they have a special meeting of the entire Council Monday evening.

Everyone agreed.

There being no further business to consider, the meeting adjourned at 8:12 p.m. upon motion, second and roll call vote.

/s/ Fred L. Fitch
FRED L. FITCH, MAYOR
ATTEST:

/s/ Traci L. Hushbeck
TRACI HUSHBECK, CITY CLERK